UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,110	09/12/2003	Bran Ferren	APPL0033	6488

22862   7590   09/04/2007

GLENN PATENT GROUP
3475 EDISON WAY, SUITE L
MENLO PARK, CA 94025

EXAMINER
REVAK, CHRISTOPHER A

ART UNIT	PAPER NUMBER
2131	

MAIL DATE	DELIVERY MODE
09/04/2007	PAPER

/

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	**Applicant(s)**
Office Action Summary	10/661,110	FERREN ET AL.
	Examiner	**Art Unit**	
	Christopher A. Revak	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 June 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>2/10/04</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date. _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-28 have been considered but are

moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   Claims 1-28 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

4.   Claims 1-28 are rejected under 35 U.S.C. 112, second paragraph, as being

incomplete for omitting essential structural cooperative relationships of elements, such

omission amounting to a gap between the necessary structural connections. See

MPEP § 2172.01. The omitted structural cooperative relationships are: how the claims

transition from receiving "composite audio and video signals from each site" to receiving

"audio only signals from each site".

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 1,2,8-14, and 20-24 are rejected under 35 U.S.C. 102(e) as being

anticipated by Nelson et al, US 2004/0008635.

As per claim 1, it is taught by Nelson et al of an apparatus for synchronizing

audio and video in videoconferences, comprising: a plurality of conference sites; and a

hub for receiving a composite audio and video signal from each site, determining for

each site a currently displayed composite audio and video signal, and transmitting said

currently displayed composite audio and video signal to each of said sites; said hub

receiving an audio only signal from each site; wherein said hub routes all incoming

audio only signals to each site (see paragraphs 15,16, & 55).

As per claim 2, it is disclosed by Nelson et al of audio only signal for a site

comprises a mixed audio signal composed of audio obtained from several microphones

at said site (see paragraph 54).

As per claim 8, Nelson et al discloses that each site comprises an audio

deselection and mixing device for deselecting an audio only signal corresponding to an

audio portion of said currently displayed composite audio and video signal, and for

mixing said audio portion of said composite audio and video signal for said currently

active site with all other audio only signals at said site; wherein audio associated with

displayed video is synchronized with said displayed video (see paragraphs 15,16, & 55).

As per claim 9, it is taught by Nelson et al wherein said audio deselection and mixing device further comprising delay circuitry for aligning said audio only signals with said composite audio and video signal (see paragraph 15 &16).

As per claim 10, it is disclosed by Nelson et al wherein said hub transmits at least two composite audio and video signals to each site to provide a split screen display at each site (see paragraph 15,16, & 55).

As per claim 11, Nelson et al teaches wherein those of said audio only signals which correspond to said at least two composite audio and video signals are deselected at each said site (see paragraph 15 &16).

As per claim 12, Nelson et al discloses of further comprising an audio deselection hub for deselecting those audio only signals not directly associated with an ongoing conversation (see paragraph 15 &16).

As per claim 13, it is taught by Nelson et al of a method for synchronizing audio and video in encrypted videoconferences, comprising the steps of: providing a plurality of conference sites; and providing a hub for receiving a compressed and encrypted, composite audio and video signal from each site, for determining a currently active site, and for transmitting said composite audio and video signal from said currently active site to all other sites; said hub receiving a compressed and encrypted audio only signal from each site; wherein said hub routes all incoming compressed and encrypted audio only signals to each site (see paragraphs 15,16, & 55).

As per claim 14, it is disclosed by Nelson et al wherein audio for a site comprises a mixed audio signal composed of audio obtained from several microphones at said site (see paragraph 54).

As per claim 20, Nelson et al discloses of performing at each site the steps comprising: deselecting an audio only signal corresponding to an audio portion of said composite audio and video signal for said currently active site; and mixing said audio portion of said composite audio and video signal for said currently active site with all other audio only signals at said site; wherein audio associated with displayed video is synchronized with said displayed video (see paragraphs 15,16, & 55).

As per claim 21, it is taught by Nelson et al wherein said audio deselection and mixing steps further comprising the step of aligning said audio only signals with said composite audio and video signal (see paragraph 15 &16).

As per claim 22, it is disclosed by Nelson et al wherein said hub transmits at least two composite audio and video signals to each site to provide a split screen display at each site (see paragraph 15,16, & 55).

As per claim 23, Nelson et al teaches wherein those of said audio only signals which correspond to said at least two composite audio and video signals are deselected at each said site (see paragraph 15 &16).

As per claim 24, Nelson et al discloses of further comprising the step of deselecting those audio only signals not directly associated with an ongoing conversation (see paragraph 15 &16).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 3-7,15-19, and 25-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Nelson et al, US 2004/0008635 in view of Kim et al, U.S. Patent

5,936,662.

As per claims 3-7 and 15-19, the teachings of Nelson et al fail to discloses

wherein said composite audio and video signals are both encrypted and compressed

and wherein each site comprising a decoder for decrypting and decompressing video

within said currently displayed composite audio and video signal and the audio only

signal from each site is encrypted and compressed, each site comprising: a decoder for

decrypting and decompressing said compressed and encrypted audio only signal from

each site. Kim et al teaches wherein composite audio and video signals are both

encrypted and compressed and wherein each site comprising a decoder for decrypting

and decompressing video within said currently displayed composite audio and video

signal and the audio only signal from each site is encrypted and compressed, each site

comprising: a decoder for decrypting and decompressing said compressed and

encrypted audio only signal from each site (col. 1, lines 43-58 and col. 10, lines 1-28). It

would have been obvious to a person of ordinary skill in the art at the time of the

invention to have been motivated to use encryption and compression techniques for

content transmission. Compression is notoriously well known to reduce the size of

transmitted data in an attempt to conserve bandwidth and to speed up transmissions.

The motivation for using encryption is that information is protected from viewing by an

unauthorized party. It is obvious that the teachings of Nelson et al could have used

both encryption and compression, as taught by Kim et al, to protect the video

conference signal and for allowing faster transmission of the content data.

As per claim 25, it is taught by Nelson et al of an apparatus for synchronizing

audio and video in videoconferences, comprising a hub for receiving composite audio

and video signal from a plurality of sites, for determining a currently active site, and for

transmitting said composite audio and video signal from said currently active site to all

other sites; said hub receiving audio only signal from each site; wherein said hub routes

all incoming audio only signals to each site (see paragraphs 15,16, & 55). The

teachings of Nelson et al fail to discloses wherein said composite audio and video

signals are both encrypted and compressed. Kim et al teaches wherein composite

audio and video signals are both encrypted and compressed (col. 1, lines 43-58 and col.

10, lines 1-28). It would have been obvious to a person of ordinary skill in the art at the

time of the invention to have been motivated to use encryption and compression

techniques for content transmission. Compression is notoriously well known to reduce

the size of transmitted data in an attempt to conserve bandwidth and to speed up

transmissions. The motivation for using encryption is that information is protected from

viewing by an unauthorized party. It is obvious that the teachings of Nelson et al could

have used both encryption and compression, as taught by Kim et al, to protect the video conference signal and for allowing faster transmission of the content data.

As per claim 26, it is disclosed by Nelson et al of an apparatus for synchronizing audio and video in videoconferences among a plurality of sites, at least two of said sites comprising a decoder for video within a composite audio and video signal for a currently active site; and an audio deselection and mixing device for deselecting an audio only signal corresponding to an audio portion of said composite audio and video signal for said currently active site, and for mixing said audio portion of said composite audio and video signal for said currently active site with all other audio only signals at said site; wherein audio associated with displayed video is synchronized with said displayed video (see paragraphs 15,16, & 55). The teachings of Nelson et al fail to discloses wherein said composite audio and video signals are both encrypted and compressed. Kim et al teaches wherein composite audio and video signals are both encrypted and compressed (col. 1, lines 43-58 and col. 10, lines 1-28). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to use encryption and compression techniques for content transmission. Compression is notoriously well known to reduce the size of transmitted data in an attempt to conserve bandwidth and to speed up transmissions. The motivation for using encryption is that information is protected from viewing by an unauthorized party. It is obvious that the teachings of Nelson et al could have used both encryption and compression, as taught by Kim et al, to protect the video conference signal and for allowing faster transmission of the content data.

As per claim 27, Nelson et al teaches of a method for synchronizing audio and video in videoconferences, comprising the steps of receiving composite audio and video signal from a plurality of sites at a hub; determining a currently active site; transmitting said composite audio and video signal from said currently active site to all other sites with said hub; receiving audio only signal at said hub from each site; and routing all incoming audio only signals to each site from said hub (see paragraphs 15,16, & 55). The teachings of Nelson et al fail to discloses wherein said composite audio and video signals are both encrypted and compressed. Kim et al teaches wherein composite audio and video signals are both encrypted and compressed (col. 1, lines 43-58 and col. 10, lines 1-28). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to use encryption and compression techniques for content transmission. Compression is notoriously well known to reduce the size of transmitted data in an attempt to conserve bandwidth and to speed up transmissions. The motivation for using encryption is that information is protected from viewing by an unauthorized party. It is obvious that the teachings of Nelson et al could have used both encryption and compression, as taught by Kim et al, to protect the video conference signal and for allowing faster transmission of the content data.

As per claim 28, Nelson et al discloses of a method for synchronizing audio and video in videoconferences among a plurality of sites, comprising at least two of said sites the steps of using within a composite audio and video signal for a currently active site; decoding audio only signal from each site; and deselecting an audio only signal corresponding to an audio portion of said composite audio and video signal for said

currently active site; and mixing said audio portion of said composite audio and video

signal for said currently active site with all other audio only signals at said site; wherein

audio associated with displayed video is synchronized with said displayed video (see

paragraphs 15,16, & 55). The teachings of Nelson et al fail to discloses wherein said

composite audio and video signals are both encrypted and compressed. Kim et al

teaches wherein composite audio and video signals are both encrypted and

compressed (col. 1, lines 43-58 and col. 10, lines 1-28). It would have been obvious to

a person of ordinary skill in the art at the time of the invention to have been motivated to

use encryption and compression techniques for content transmission. Compression is

notoriously well known to reduce the size of transmitted data in an attempt to conserve

bandwidth and to speed up transmissions. The motivation for using encryption is that

information is protected from viewing by an unauthorized party. It is obvious that the

teachings of Nelson et al could have used both encryption and compression, as taught

by Kim et al, to protect the video conference signal and for allowing faster transmission

of the content data.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Christopher A. Revak whose telephone number is 571-

272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CR

August 28, 2007

CHRISTOPHER REVAK
PRIMARY EXAMINER